

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GAINER et al

Atty. Ref.: 4112-7

Serial No. 10/647,132

Group: 1626

Filed: August 25, 2003

Examiner:

For: BIPOLAR TRANS CAROTENOID SALTS AND THEIR  
USES

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY  
AND EXCLUSIVE PROSECUTION HEREAFTER BY  
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

Diffusion Pharmaceuticals LLC, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints the attorneys of **Customer Number 23117** individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent.

Diffusion Pharmaceuticals LLC also authorizes Nixon & Vanderhye to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

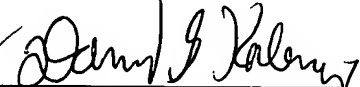
**Certificate Under 37 C.F.R. §3.73(b)**

Diffusion Pharmaceuticals LLC, a corporation having a place of business at 2020 Avon Court, Suite 4, Charlottesville, Virginia 22902 states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment being attached.

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of Diffusion Pharmaceuticals LLC.

Diffusion Pharmaceuticals LLC

✓      Feb. 8, 2004  
\_\_\_\_\_  
Date

By: ✓   
Name: ✓ David G. Kaler  
Title: ✓ CEO